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[10121/02401]
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : James F. McGUCKIN, Jr. et al.
Serial No. : 10/062,760
Filed : January 31, 2002
For : APPARATUS AND METHOD FOR RESECTIONING
GASTRO-ESOPHAGEAL TISSUE
Group Art Unit : 3739

Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

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By: *Tesha Ramos* Date: *4/29/02*

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION

S I R:

Transmitted herewith for filing in the above-identified application is a Response to the Notice to File Missing Parts of NonProvisional Application Mailed February 27, 2002. To complete the filing requirements of the NonProvisional Application, herewith please find an executed Declaration, Substitute Drawings in compliance with 37 CFR 1.84 and a check in the amount of \$130. In addition, an Information Disclosure Statement and PTO-1449 along with four (4) references are being filed herewith.

Please charge any deficiency therein, to **Fay Kaplun & Marcin, LLP's** Deposit Account No. **50-1492**. For this purpose, a duplicate of this letter is enclosed.

Respectfully submitted,

Dated:

April 29, 2002

By:

Oleg F. Kaplun
Oleg F. Kaplun, Reg. No. 45,559

Fay Kaplun & Marcin, LLP
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/062,760	01/31/2002	James F. McGuckin	10121/02401

Patrick J. Fay, Esq.
FAY KAPLUN & MARCIN, LLP
17th Floor
100 Maiden Lane
New York, NY 10038



CONFIRMATION NO. 2438

FORMALITIES LETTER



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Date Mailed: 02/27/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice **MUST** be returned with the reply.*

of B. Z. M. S. S. S.

PART 2 - COPY TO BE RETURNED WITH RESPONSE